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C O N F I D E N T I A L SECTION 01 OF 03 TORONTO 003209

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SUBJECT: BRINGING ORDER TO THE BORDER: ONTARIO'S BORDER
CZAR MICHAEL KERGIN

REF: A. TORONTO 2778

1B. TORONTO 3042

Classified By: Consul General Jessica LeCroy for reasons 1.4 (b) and (d).
(b)

¶1. (C) SUMMARY: Michael Kergin, Ontario's Special Advisor on Border Issues, told the Consul General on December 6 that he is working to facilitate trade while maintaining high security standards at the border as mutually reinforcing objectives. He said the Detroit River International Crossing (DRIC) study was proceeding well but could benefit from the attention and leadership of senior political-level U.S. and Canadian officials. Kergin expressed concern about the Ambassador Bridge proposal to assume the operating lease on the Detroit-Windsor tunnel, and observed that Canada Border Services Agency (CBSA) officers continue to be concerned for their safety since they are not allowed to carry weapons.
END SUMMARY.

Ontario's New Border Czar Outlines His Mandate

¶2. (C) In a December 6 courtesy call on the Consul General, Ontario's Special Advisor on Border Issues (and former Canadian Ambassador to the U.S.) Michael Kergin defined his new job to her and Pol/Econ Chief as having two halves: the first, he described as &the hardware,⁸ includes the physical border crossings and infrastructure leading to the border; the second, &the software,⁸ is focused on processing people and goods at the border. Security and trade are mutually reinforcing. Ontario is a stakeholder in border traffic processing, he said, but the federal government has the lead in resolving these issues, this included the ongoing preclearance discussions for the Buffalo/Niagara and the Thousand Island border crossings. Unfortunately, he observed, progress in concluding the negotiations will be extremely slow until after the January 23 Canadian federal election allows the political level in Ottawa to refocus on the remaining difficult issues such as detention procedures.

¶3. (C) Kergin advised that Premier McGuinty fears that, if the actual transactional cost or opportunity cost of crossing the border increases significantly, Canada will lose its competitive advantage (a relatively cheap Canadian dollar and lower health care costs), and will have great difficulty attracting cross-border investments. This would further damage the North American auto sector, he observed. The Western Hemisphere Travel Initiative (WHTI) was already having an affect on convention planners, who were selecting venues for international events to be held in 2008.

Detroit-Windsor Border a Major Focus

¶4. (C) The Detroit River International Crossing (DRIC) study process is working pretty well, according to Kergin. All involved jurisdictions (Canadian federal and provincial and U.S. federal and state) must stay united or the other stakeholders will drive wedges into the process. He noted local politics would trump the big picture in Windsor and Detroit. The Canadian provincial and federal governments are relatively happy with the central corridor that is the focal point for the two remaining possible bridge sites. Canadian citizens, groups are beginning to organize around two different sites in the vicinity of the proposed area) the village of Sandwich, an historic loyalist outpost on the northern side of the sites, and the Ojibway Prairie Provincial Nature Reserve on the southern side of the proposed sites. Kergin suggested that the DRIC study process would benefit from attention and leadership by the senior political level on both sides of the border.

¶5. (C) Kergin expressed concern that the proposed takeover of the Detroit-Windsor tunnel operating lease by the Ambassador bridge company raises serious governance issues. Public oversight of this near monopoly would be needed. He also expressed concerns about a possible twining of the existing Ambassador Bridge span, but suggested Canada's major way to influence a possible twining of the bridge is by not providing the improved road infrastructure needed to feed the additional traffic onto the bridge.

Canadian Border Agents Want to Bear Arms

16. (C) Kergin advised that Alain Jolicoeur, President of the Canadian Border Services Agency (CBSA), had told him in late November that the CBSA officers at the border would like to gain permission to carry weapons. Jolicoeur had said the CBSA officers were concerned they would be unable to cope with armed Americans crossing the border from the U.S. If they were given permission to carry weapons, Kergin said he had heard, the CBSA officers would have to receive additional training and would receive a higher salary. Deputy Prime Minister and Minister for Safety and Emergency Preparedness Anne McClelland told Kergin in a separate meeting in November that CBSA officers would not be allowed to carry guns. The Consul General advised that the Consulate had received mixed signals on this issue over the past year) we have heard that the older officers viewed themselves as civil servants and the newer officers viewed themselves more as law enforcement officers. Kergin agreed that the CBSA culture was built around collecting duties and that Canada itself had to improve its efforts at inspecting cross-border traffic, particularly to prevent smuggling of illicit items such as guns. The Consul General suggested that Canada needed, at the least, some sort of quick reaction police force to support the unarmed CBSA officers in the event of an emergency. Kergin observed that the recent CBSA walk-outs at the Detroit-Windsor border wreak havoc with the auto sector,s & just in time8 production method.

Future Plans

17. (C) The CG briefed Kergin on the Consulate,s Border Liaison Program, which facilitates establishment of working and policy-level coordination at each of the border crossings between Ontario and the U.S. She shared with Kergin recent traffic summary statistics prepared by the Bridge and Tunnel Operators Association and discussed possible future joint visits to the major crossings Kergin had not yet seen) Saarnia and Thousand Islands. She also advised on fora the Consulate had found helpful to influence the process. Frequent consultation with Canadian Consuls General in Detroit and Buffalo - who often have better information about the U.S. side of the border, but often lack information about the Canadian side of the border - had proven beneficial for all, she said. Kergin and the Consul General agreed joint/shared management of the border was a long-term objective.

18. (C) Kergin said he will meet former U.S. Ambassador to Canada James Blanchard in early January at the University of Michigan in Ann Arbor, to open a table-top exercise on the Detroit-Windsor border crossing at the Gerald Ford School of Public Policy. The Consul General advised that she had suggested that the Harvard Business School make a case study about the DRIC study process. Kergin said he would also travel to Lansing for consultations with Michigan state officials. He noted that, in addition to his border czar portfolio, he is forming a consulting company, called Intermestic Consulting, which will focus mostly on U.S.-Canada relations.

19. (C) Comment: Kergin is approachable and easy to work with. He will be a useful interlocutor for the U.S. on cross-border issues. We have heard that his appointment was not Premier McGuinty,s idea) rather that his appointment was suggested by the federal government - though McGuinty reportedly quickly endorsed the idea. Kergin, who resides in Ottawa said he has had really good access to Canadian federal officials, though he is not close to the Martin government, having previously served as foreign policy advisor to former PM Chretien. We believe he will be able to cut through some of the complexity that can characterize issues that cross federal and provincial lines. Kergin oversees Ray Mantha, former Chief Engineer of Ontario, who has built a Border Implementation Group within the Ontario Ministry of Transportation (MOT) to implement the DRIC. Mantha, who advises Kergin, has also proven to be a valuable interlocutor to the Consulate. Mantha divides his time between MOT offices in Windsor, London and Toronto, as well as his home in northern Ontario. End Comment.

Kergin Biography

10. (U) Biography of Michael Kergin follows:

Michael F. Kergin was appointed by Premier Dalton McGuinty in September 2005 to act as the Premier,s Special Advisor on Border Issues.

Mr. Kergin served as Canada,s Ambassador to the United States for five years, from 2000 until 2005. His career in the public service began when he joined the Department of External Affairs (Foreign Affairs Canada) in 1967 as a Foreign Service Officer. His postings include New

York as a member of the Canadian Mission to the United Nations, as well as Cameroon and Chile. Mr. Kergin also served as Ambassador to Cuba from 1986 to 1989. He was posted to Washington twice prior to his appointment as Ambassador.

End Kergin biography.
LECROY